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MS RCE

PATENT 1248-0559P

IN THE U.S. PATENT AND TRADEMARK OFFICE

Applicant: Tomonobu TOMARU et al. Conf.: 7768

Appl. No.: 09/974,799 Group: 2133

Filed: October 12, 2001 Examiner: J. Torres

For: COMMUNICATIONS METHOD, COMMUNICATIONS APPARATUS AND COMMUNICATIONS SYSTEM

USING SAME COMMUNICATIONS APPARATUS

REQUEST FOR CONTINUED EXAMINATION UNDER 37 C.F.R. § 1.114

MS RCE

Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

November 15, 2004

Sir:

This is a "Request for Continued Examination" under 37 C.F.R. § 1.114, the provisions of which do not apply to:

(1) A provisional application; (2) An application for a utility or plant patent filed under 35 U.S.C. 111(a) before June 8, 1995; (3) An international application filed under 35 U.S.C. §363 before June 8, 1995; (4) An application for a design patent; or (5) A patent under reexamination.

Submission of an RCE is limited to an application in which prosecution is closed; e.g. final rejection, Ex Parte Quayle; or notice of allowability

- This Request for Continued Examination is being filed prior to the earliest of:
 - (1) Payment of the issue fee, unless a petition under § 1.313 is granted; (2) Abandonment of the application; or (3) The filing of a notice of appeal to the U.S. Court of Appeals for the Federal Circuit under 35 U.S.C. § 141, or the commencement of civil action under 35 U.S.C. §§ 145 or 146, unless the appeal or civil action is terminated.

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The enclosed document is being transmitted via facsimile.							
Submission	Required u	nder 37 C.	F.R. §	1.114	<u>:</u>		
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Enter as p	art of the	present su	bmissio	n:			
The After Final Amendment(s) previously filed on , under 37 C.F.R. § 1.116 but unentered, in the present application.							
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	TOTAL	TOTAL	NUMBER	Large Entity		Small Entity	
	NUMBER OF CLAIMS PREVIOUSLY PAID FOR	NUMBER OF CLAIMS BEING FILED HEREWITH	<u>EXTRA</u>	Rate	Fee	Rate	Fee
Total Claims	30	22 =	0	X 18	\$	х 9	\$
Independent Claims	7	7 =	0	X 88	\$	X 44	\$
	PRESENTATION	OF A MULTIP	LE	300	\$	150	\$
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\boxtimes		required fee under 37 C.F.R. § 1.17(e) as required by 37 R. § 1.114 when the RCE is filed, is enclosed herewith:				
		<pre> \$395.00 - small entity \$790.00 - large entity </pre>				
		applicant(s) hereby petition(s) for an extension of () month(s) pursuant to 37 C.F.R. §§ 1.17 and 5(a). The fee has been calculated as shown below:				
		NO extensions of time have been previously obtained in the prior application. Thus, a fee of \$0.00 is required for the full period of the above-requested extension of time.				
		An extension of () month(s) was previously requested and paid for on in the instant application. Thus, a fee of \$0.00 is required to obtain an additional () month(s) extension.				
	The fee of \$130.00 under 37 C.F.R. § 1.17(i) for suspension of action is enclosed.					
	Enclosed is(are) check(s) in the total amount of \$790.00 for the applicable filing fee, additional claims fee, suspension fee, and/or extension fees.					
	Please charge Deposit Account No. 02-2448 in the amount of \$0.00. A triplicate copy of this sheet is attached.					
overp fees	ırrent caymer requ	ecessary, the Commissioner is hereby authorized in this, and future replies, to charge payment or credit any at to Deposit Account No. 02-2448 for any additional aired under 37 C.F.R. §§1.16 or 1.17; particularly, of time fees.				
		Respectfully submitted,				

BIRCH, STEWART, KOLASCH & BIRCH, LLP

Charles Gorenstein, #29,271

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Attachment(s)

1248-0559P